Chas J. Woodward

TWELFTH ANNUAL REPORT

OF

William J. Mullen,

PRISON AGENT.

***JANUARY* 1, 1866.**

J B CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, (GIRARD BUILDING.)

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TWELFTH ANNUAL REPORT

OF

WILLIAM J. MULLEN,

Prison Agent,

January 1st, 1866.

To

JOHN M. WETHERILL:

Chairman of the Committee on County Prison, of the "Philadelphia Society for alleviating the miseries of Public Prisons."

RESPECTED SIR:

The undersigned herewith submits, for the information of your Society, his Twelfth Annual Report, from which it will appear that, with the co-operation of the properly constituted authorities, he has succeeded in liberating from prison one thousand four hundred and ten (1,410) persons within the last year. Of this number, there were seven hundred and twenty-eight (728) males, and six hundred and four (604) females, besides seventy-eight (78) children. They were liberated at a cost to themselves of two hundred and fifty-seven dollars and ten cents ($\$257.\frac{10}{100}$), paid to magistrates and other officials. There were over two thousand eight hundred (2,800) cases investigated, and more than five hundred (500) letters have been

written and mailed on account of prisoners during the year. The parties were all committed for Court, but an impartial and searching examination showed that, in the majority of these cases, the imprisonment was unnecessary, while, in many instances, it was cruel and oppressive.

In some cases where offences have been committed, they were of so trivial a character, or accompanied with such mitigating circumstances as not to warrant a longer confinement. It was found that much of the litigation had its origin in improper motives, such as vindictive feelings, thirst for gain, intemperance and thoughtlessness. Parties thus actuated overlooked the misery they were causing to helpless children and unprotected families by sending their parents and protectors to prison; many of these, when remonstrated with, saw their error, and willingly lent their aid to undo the mischief they had so inconsiderately caused.

We would not be understood to say that many of the persons liberated had not committed the offences with which they were charged, but the reasons assigned for their liberation at the time were such as to satisfy the officers of the law that their release was in no way incompatible with the ends of public justice, as the imprisonment they had already suffered was considered sufficient. There is no doubt but that in the regular course of law, the Court, when made acquainted with the facts that go to establish the innocence of parties who may be wrongfully accused, would authorize their discharge, and in this way they would be released in time, but the delay would be most damaging to their interests. It is painful to contemplate the fact, that persons who are not guilty, or whose offences are so slight that no Grand Jury would feel justified in finding a true bill against them, should be incarcerated for an unnecessary length of time, subjecting them to the loss of their honest employment as well as being detrimental to their character, and thereby entailing suffering and ruin upon their innocent families, and that too at an unnecessary expense to the city.

What we claim for the Agency is, that it is a peaceful mission, adjusting difficulties between parties who are at law; that it brings the facts promptly before the proper officials who have power to act in the premises, and whose decision terminates the mental suffering

of the prisoner, which resulted from his being kept in suspense; it also puts an end to unjust and malicious litigation, liberates those who ought not to be imprisoned, prevents suffering to innocent families, and saves to the county much unnecessary expense; nor in this connection can we overlook the precious time and expense saved to the Court and jurors, that would otherwise be necessary in disposing of these cases, as they are Court cases, and not those of drunkards, vagrants or breaches of the peace, of which the Inspectors have the authority to dispose.

The liberation of the persons referred to was a saving to the county within the year of the sum of seventeen thousand one hundred and forty-four dollars and seventy cents ($17,144 70), of which eight thousand one hundred and seventy-eight dollars (8,178) would have been required to have been paid for ignoring their cases at $5.$\frac{80}{100}$ each, and eight thousand nine hundred and sixty-six dollars and seventy cents (8,966.$\frac{70}{100}$), which their maintenance would have cost, had they been detained in prison until the earliest period in the term of the Court for disposing of their cases.

The whole number of persons released within the last twelve years through the Agent's interference, has been seventeen thousand four hundred and three (17,403); their liberation has saved to the tax payers of Philadelphia the sum of one hundred and forty thousand seven hundred and seventy-one dollars and fifty-eight cents ($140,771 58).

The unjust and trivial character of many of these arrests may be understood by a perusal of the several instances given in the sequel of this Report. The Agent again wishes to impress upon the mind of the reader, that his object in the exercise of the duties of his office, is to seek to release those only whose imprisonment is unjust and improper, and whose detention in prison can be of no possible benefit, but on the contrary a great detriment to the community.

The number of arrests made in our city during the year was thirty-nine thousand one hundred and seventy-nine (39,179), and the number of commitments to the County Prison sixteen thousand four hundred and ninety-six (16,496). There were one thousand six hundred and two (1,602) bills ignored, and two thousand three hundred and eighty-two (2,382) true bills found

by the Grand Jury, of which there were five hundred and ninety-five (595) convicted, sentenced and re-committed to prison. Of these four hundred and fifty-five (455) were sentenced to labor, and one hundred and forty (140) without labor. Of the original number committed, there were discharged by the Court eight hundred and forty-three (843), by magistrates six thousand seven hundred and eighty-one (6,781), by Inspectors five thousand eight hundred and fifteen (5,815), prisoners whose time expired within the year, who had not been required to labor, thirteen (13), and by various other authorities not here mentioned, five hundred and seventy-three (573). Of the above number committed, there were ten thousand seven hundred and thirty-one (10,731) white males, and also four thousand four hundred and seventy-nine (4,479) white females, six hundred and forty-four (644) black males, and six hundred and forty-two (642) black females. The whole number of commitments of both sexes shows an increase, compared with last year, of two thousand four hundred and twenty-nine (2,429). By this it will appear that there were three thousand nine hundred and eighty-four (3,984) cases acted upon and disposed of by the Grand Jury and Court, at a cost of forty-four thousand nine hundred and eighty-one dollars and eighty-one cents ($44,981.\frac{81}{100}$), this being the expenses of the Criminal Court for the year. Of this the City Treasurer is required to pay the District Attorney's fees, twelve thousand one hundred and twenty-six dollars ($12,126.00); clerk's fees, nine thousand nine hundred and sixty dollars and fifty-one cents ($9,960.\frac{51}{100}$); sheriff's fees, four thousand six hundred and ninety-seven dollars and eleven cents ($4,697.\frac{11}{100}$); tipstaves, jurors, &c., eighteen thousand one hundred and thirty-five dollars and nineteen cents ($18,135.\frac{19}{100}$). The conviction of the *guilty* parties who were returned to prison cost thirteen dollars and fifty cents ($13.50) each. This absorbed eight thousand and thirty-two dollars and fifty cents ($8,032.\frac{50}{100}$) of the expenses.

No portion of the above expenditure was paid to the Judges, as they receive their salary from the State. And we would here remark, that the compensation given to these gentlemen, is by no means adequate to the valuable services rendered. Since the above was written, we are glad to see that a member of the Legislature has made

a move in the right direction, on this subject, as will be seen by the following article, taken from the "Dispatch" of this city.

THE SALARIES OF OUR JUDGES.

"Mr. Bingham, of Allegheny, has introduced a bill to increase the salaries of certain State officers, from the Governor downward. The synopsis of the bill which we have seen states that there is a proposition to advance the salaries of the Associate Judges of the Supreme Court to $5,200 per annum, Chief Justice to $5,500, and of the Judges of the Court of Common Pleas of Allegheny county to $4,400, and of the President Judges of County Courts to $3,000. We do not find in the synopsis of the bill that any proposition has been made to increase the salaries of the Judges at Philadelphia to $4,400. One of our cotemporaries assumes that such is the case. We hope that it is But if it is not, the subject is one which is worthy the attention of our delegation in the Legislature. There are no Judges in the Commonwealth who work harder than the Judges of the District Court and Common Pleas of Philadelphia. Nor are there any Judges better deserving of liberal payments, upon account of their industry, learning and probity. If this bill passes—and it is a just measure which the State can well afford to perform—we trust that there will be no invidious distinction in favor of Allegheny and against Philadelphia. The sums proposed are not too great for the payment of the Judges in either place. It may be well doubted whether they are not entirely too small."

Just previous to our report going to press, we have learned, with profound sorrow, of the death of the Hon. Oswald Thompson, the beloved President Judge of the Court of Common Pleas. His death is a public calamity: we say this because we know it to be so. We believe no one in this community, with the exception of his family, and his colleagues upon the Bench, has had a better opportunity of judging of the goodness of his heart, and the godlike qualities of the man, than the Agent, who will always hold his name in profound respect, because he knew him to be a righteous Judge, and who always found him, in season and out of season, ready and willing to listen to anything that might be said which tended to alleviate the condition of the oppressed, when he could do so consistently with his sense of justice.

The Agent is in possession of many interesting facts, not known to the public, which show him to have been a man, not only of a benevolent heart, but one whose mind could promptly grasp a subject, and see through it with a quickness of perception that seemed

like inspiration. His decision and promptness in meting out punishment to offenders, were fully equalled by the merey whieh he was at all times ready to extend where there were palliating eireumstances.

He was taken siek while on his way to the Court, and died in the harness, overworked in the publie serviee, and literally killed by the fetid air of badly-eonstrueted Court-rooms, where business of the greatest magnitude had to be disposed of. The value of the services of this illustrious man may be, in some degree, estimated by the profound feeling it ealled forth in the eommunity, and whieh found proper expression in the meeting of the bar, whieh, in numbers and interest, was without a precedent in our annals. At this meeting, which was presided over by the Hon. Judge WOODWARD, of the Supreme Court, the Hon. Judge STRONG, said:—

"I am persuaded, sir, that there is uo Court in this Commonwealth that has imposed upon it anything like so many duties as devolve upon the Court of Common Pleas of the City and Couuty of Philadelphia. I know of no Court in any other State that has a jurisdiction so large, and to which is entrusted so much that is of value to the community, of value to the city, so much that is essential to the preservation and good order of the State, as is represented in this.

The public miud, doubtless, looks more to the administration of criminal laws than any other portion, and they are eminently important. It is of the greatest importance that the Judges of that Court should bring to the administration of that branch of law not only well-informed and strong minds, not only minds not too distorted by the growth of one faculty to be effective; but that they should bring promptness and application and knowledge; that they possess and be full of the character of firmness, resolved uot to be affected by public prejudice, uot to to be reproached. Their character should be above reproach; a reputation unsullied, an integrity that cannot falter.

But there are other duties that are not less important; they are, perhaps, more onerous. I refer to the Judge, as Judge of the Orphans' Court, the Court through which immense property in this large commuuity is sure to pass; a Court that must meet difficult, involved and important questions, and that has entrusted to it the guardianship of widows and orphans. Can we over-estimate the value of that man who discharges the duties of the Judge of the Orphans' Court of this city and discharges them well?

I will say nothing of the other duties that are imposed by law upon the judges of that court I refer to the duties imposed upon him as the guardian or supervisor of all administration iu preserving the publie highways, the purity of the public elections. One stands appalled at the magnitude of the duties imposed upon him. In view of this great magnitude, the inquiry presents itself, who is sufficient for these ends? It was to such a position as this that our late friend was called. For fourteen years he has borne the burden of these duties, he has borne this immense burden; he has discharged these trusts; how ably, we are all witness. You aud I, and

all who are present here this morning, can bear cheerful testimony to the great fidelity aud eminent ability with which Judge THOMPSON filled the position to which he was chosen.

It caanot be doubted that his conscientiousness made him discharge all the duties of his position, which shortened his life and led him to an untimely death. Not so. No death is not untimely to him who has well done his life's work, and who has made preparation for a better life. It is we who remain that must suffer; but we, who shall not meet again our friends in the land of life, and not again enjoy the benefits of his labors in the land of the living, have left to us one example, and the memory of the just shall always be blessed."

The Judge was followed by

Hon. ELI K. PRICE, who desired to speak in measured and truthful words; if they be eulogy, it will be because truth is eulogistic. We meet to express our sorrow and pay our homage of respect to a good man and a faithful magistrate. We come here to mourn him as a brother in our profession, more emphatically so because he was taken from our ranks and stricken down among us. Being eminently useful as a Judge, that feeling of respect and confidence becomes intensified. The bar knows its loss, but the public do not know theirs. The judiciary is the final safeguard of all the rights of human uature. Thus, in this great loss, we wish to pay him a tribute of our gratitude. The senior of Oswald Thompsou by about ten years, I have kuown all of his professional and judicial life.

No one can remember that with him they had any difference; no one ever heard from him, on the bench, an unkind word, or knew him to do an unkind act; he was not capable of it. He seemed never to have thought, when the bar was interposed, that he had ceased to be one of our profession. His nature was calm, mild aud deliberate. He always listened to every case with admirable patienee, wheu even patiencc might seem to others to be beyond the bounds of virtue. He spoke at the right time, decisively and positively. He had an iron will, though his body was weak. His decisions were brief, as from the pressure of business they must have been, but though brief they always clearly explained the grouuds and principles on which they were based; when written, they were terse but complete. Your honor has had many to review, but very few to reverse.

This occasion is not to be lost to demand the reform of a great evil to which your Honor has adverted. I trust this matter will go to the Legislature and receive their considerate action. Here are four or five Courts, with jurisdiction extending over every interest, from a few dollars up to the lives of our citizens. There is the Court of Oyer and Terminer, to decide the great questions of life. There is the Court of Quarter Sessions, with many cases, like those of elections, of infinite value. There is the Court of Common Pleas, with equity jurisdiction, with a constantly increasing business. There are the Orphans' Court and the Registry Court. Through these, must, on an average, once in thirty years, pass the whole property of this great community. Thus, upon three men are imposed duties sufficient to break down all their constitutions, business enough for twice as many.

Judge THOMPSON fell a victim to this evil. For years I have seen him breaking down, seen him struggling under these onerous labors, with a keen sense of his public duties and a will to perform them, whatever might be his personal suffering.

He went on the bench having a good legal practice; had he not done so, I believe he would have been, to-day, a richer man and a living man. I regard him as a sacrifice to the public good. I want to point to his dead body, and in view of that sacrifice make an appeal to the Legislature to obviate this killing labor by dividing the duties between a larger number. Every Judge that goes on the bench, giving up a large practice, and performs his duties well, demands the meed of perfect praise. We have this consolation in our hour of sorrow, that he has left us a good and perfect example. He lived to perfect that example, and the best and most patriotic prayer we can now offer is that his successor may adorn the bench with his urbanity, his learning, and his virtue, and at the close of his life like him receive the praises and benedictions of all good men.

The following are the resolutions unanimously adopted by the meeting:—

Resolved, That the members of the Philadelphia bar feel with deep sorrow the loss which this community has sustained in the death of the Hon OSWALD THOMPSON, the late President Judge of the Court of Common Pleas of this county.

Resolved, That we hold in the highest esteem the learning, the integrity, and the exalted virtues of the late Judge THOMPSON, and most sincerely deplore the loss which the bench and the country have sustained by the death of one so eminently qualified for the high and honorable station which he filled.

Resolved, That in recording these sentiments, we desire to adduce testimony to the purity and uprightness of his life, and to the estimable qualities which belonged to him as a man.

Resolved, That we most truly sympathize with his bereaved family in that affliction under which they mourn the loss of an affectionate husband, a kind parent and a good citizen.

Resolved, That the members of this bar will attend the funeral of the late Judge THOMPSON.

Resolved, That a Committee of seven be appointed by the Chair to present a copy of these proceedings to the family of the deceased.

We insert the following, from the final presentment of the Grand Jury of the February term, who say:

"The majority of the cases brought before us were for trivial offences. We fervently hope that this state of things may continue, and the number of crimes still lessen, so that Philadelphia may still claim in reality to be the 'City of Brotherly Love.'" They also say "The Association for Relieving the Distressed in Prisons, could not have a more efficient Agent than Mr. WILLIAM J. MULLEN, whom we found at his post." In response to this presentment, the Judge thanked the Grand Jury for their attention to their duties.

The following is an extract from the Presentment of the Grand Jury for the August Term, to the Hon. Judge LUDLOW, of which body STEPHEN A. CALDWELL, Esq., was foreman.

"The Grand Jury have called before them a great number of witnesses, revealing a vast volume of crime; much of it of the most atrocious character. They are

glad to know that many of the criminals, against whom indictments were found, have been brought to speedy trial, and, upon conviction, have received from your Honor a quick and condign sentence. It is only by thus dealing in a summary manner with heinous offenders, that we can hope to abate the growing volume of crime; and we most earnestly commend your example, of merited severity on criminals, to your associates, believing that the condition of affairs requires a using of the "terrors of the law" to their utmost limit.

A great number of cases of assault and battery are of a trifling nature, growing out of the jealousies and evil-speaking of neighbors, and are unworthy the time occupied and the expense incurred in the hearing of them. In very many instances, the prosecutors suppose that when they have had the assailant "bound over," the matter is ended; in many other cases, to have the assaulting party bound to "keep the peace" would satisfy the aim of the prosecutor and the ends of justice.

If it be lawful for the Aldermen to do so, without making a return to the District Attorney, we are sure that by following that course in all minor cases, great expense would be saved to the county, as well as to all concerned. The fruitful source of three-fourths of the crime developed, to our experience, is the use of intoxicating drinks. Licensed and unlicensed taverns, saloons and drinking shops, spring up in every corner and in every street, like mushrooms in a night, until the evil flowing forth from them is disturbing, in an unwonted manner, the peace and happiness of society, filling our streets with drunkenness, lewdness and vice, our prisons with criminals, and sending numberless victims into untimely graves. It is the province of neither judge or jury to *make* laws; they can only execute them; but we can point the people to the source from which so much crime emanates, and exhort them to seek, through wise and just legislation, an adequate remedy. During four years of furious war, the people have proved, by their patience, courage and fortitude, their ability and determination, ours as a Government of the people; and now, in these days of peace returned, if they will enjoy the blessings of peace, and the comforts of pure and virtuous society, free from fear of crime, they must take into their own keeping the trust of electing good and wise Legislators, and the eradicating the evils now existing in the community."

The curse of Intemperance, that worst foe to godliness, so noticeable everywhere, still abounds in our city to a truly alarming extent, constantly leading to those crimes which fill our prisons and almshouses with drunkards, paupers and criminals, who have been made such by the unnecessary use of intoxicating liquors, which are sold under the sanction and protection of law.

The result is to be seen in the squalid wretchedness and absolute misery everywhere attendant upon this accursed traffic, so expensive to our fellow-citizens who have to bear the burdens of supporting its victims—burdens which the rum-sellers should be required, by law, to bear from the profits of their iniquitous business. They should be

made to support those whom they have impoverished while enriching themselves.

The main object of law, as we understand it, is to prevent and suppress crime. A more effectual way to increase crime than that of legalizing the *unrestrained* sale of intoxicating liquors, it is difficult to conceive. We say *unrestrained*, and this is so, for any person can, under the law, go to the office of the Court of Quarter Sessions and obtain a license to sell rum upon the payment of a few dollars to the City Treasurer, upon a certificate given by the County Commissioner. No matter how bad the character of the individual may be, but little difficulty will be found as to the fitness or reputation of the house for the accommodation of the public. These dens of iniquity, where crime originates, have caused the vast increase in our criminal business. Is not a reform, in this particular, called for by the history of the past, and by the present danger to the morals of the community?

Our beloved country, thanks to an overruling Providence, is saved from any further horrors of war, whose dark clouds are rolling away —from destruction by slavery, now itself dying by suicide—but is not the country which God has thus preserved and blessed, cursed by another evil, imperiled by another sin? Is not this a time for repentance and reformation? Has not Intemperance cast a deeper shadow over the dark scenes of war? Does it not imperil the welfare of thousands of our brave defenders whom shot and shell and fever have spared? Strong drink is still raging. Wine is still a mocker, deceiving many who might be wise. Intemperance is casting down many of the wounded, who have done honor to themselves and their country upon the battle-field! Rum-selling and rum-drinking still destroy domestic happiness, disturb public tranquility, incite to riot, to arson, to murder, to suicide, and to every crime, tormenting and slaying their hundreds of thousands of captives, with a barbarism rivaling, if it cannot reach, the atrocities of the slave mart and the soldier-prison, invading our homes and corrupting our youth.

As we regard the welfare of the community in which we live; as we regard the welfare of the rising generation; as we hope for the preservation of our free institutions; as we value the peace and

happiness of our own fire-sides; and as we value religion which is the solace of our sorrows and the only hope of happiness hereafter; and as we desire crime diminished—which we now so painfully see on the increase, resulting from this unrighteous business, filling our prisons, as we have remarked, with criminals of the worst character. There should be prompt action on the part of our citizens to avoid this evil, and stop this tide of iniquity, by legislation or otherwise. The guilt of intemperance and its accessories calls loudly for a speedy remedy at the hands of the wise and good.

In the Coroner's Report of our city for the year, it is shown that there have been nine hundred and thirty-one (931) deaths by suicide, accidents, &c., over which that official has held inquests. The number of murders was twenty-two (22.) From the Philadelphia Inquirer of the 15th inst., and from other sources, we learn that the number of murders committed in the United States within the year was six hundred and eighty-two (682,) for which there were ninety-three (93) executions. Of the above number, thirty-five (35) murders were committed on Christmas day. My official position as Prison Agent, and my experience in the statistics of crime for the last twelve years, warrant me in saying, without fear of successful contradiction, that nine-tenths of the murders are traceable to intoxicating drink. Remove this evil, and there will be little or no necessity for the gallows, and crime will almost disappear in our beloved country.

Some idea may be formed of the fearful number of tavern licenses granted to retail dealers in intoxicating drinks, from the Auditor General's Report for 1865, from which it appears that there have been paid into the State treasury for tavern licenses in Philadelphia alone, one hundred and seventy thousand five hundred and fifty-two dollars and seven cents ($170,552 07,) and in the whole State, two hundred and forty-nine thousand six hundred and forty-five dollars and nineteen cents ($249,645 19,) paid for the privilege of establishing so many pest houses, to fix, like moral plague-spots and festering sores, upon the surface of our otherwise beautiful Commonwealth. It is fearful to contemplate, that from these licensed dens of iniquity there will issue men and women, demoralized and corrupted, to prey upon the community, by increasing the amount of our criminal busi-

ness, as well as the burden of our taxes; for we can look upon this $250,000 *of revenue* in no other light than as so much seed, sown broad-cast upon our State, that will inevitably produce a woeful crop of crime, insanity, misery and death.

We would here remark, as we have on previous occasions, that it is greatly to be regretted that our City Councils have not yet made an appropriation for the building of a House of Correction, by which our over-crowded prison could be relieved of drunkards and vagrants, who might be made to work and earn their keep, but who, under the present arrangement, are supported in idleness, thereby interfering with the legitimate business of imprisoning convicts, who are now crowded, in many instances, three in a cell, instead of one, as the law requires. There must be some action on this subject, at once, or there will have to be an addition made to the prison. The crowded condition of the cells will create disease, such as we had last year when visited by the spotted fever in its worst form.

The increase of crime is not confined to our city alone, as may be seen from the following extract from the Metropolitan Police Report of New York. The Superintendent of the Police says:

"The number of arrests made during the last quarter, amounts to the unprecedented number of nine thousand one hundred and twenty-two (9,122,) being nearly three thousand (3000) more than have been arrested during any previous quarter."

He says the number of arrests is mainly owing to the great number of soldiers, that have been mustered out of military service, in our midst, who, finding themselves without employment and without means, many of them have, as a consequence, become violators of the law, and have fallen into the hands of the police.

"But the greater number of arrests have been of persons who have followed in the wake of our armies for the purpose of plunder and robbery; and now the war is over and our armies disbanded, they are forced to prey upon our citizens. There is also a large number of the convicts of the Southern prisons who are now at large, and are found to be among the most desperate characters that visit our city. Most of these men are as yet unknown to our detectives, and consequently these officers labor under a disadvantage in these cases. Of the entire number arrested, three thousand four hundred and eighteen could not read nor write.

The judicious management of our prison, on the part of the Inspectors, continues to be satisfactory, and the management of the Superintendent, WILLIAM B. PERKINS, is acceptable to all parties concerned.

The cleanly condition, excellent management, and good ventilation of the female department, is truly praiseworthy; and the health of the prison generally, under the attentive care of Doctor HENRY Y. SMITH, is good.

The moral instruction given on the Sabbath, under the supervision of the Agent, by the clergy of different denominations, has been productive of good, and gives general satisfaction.

In the case of discharged convicts, the Agent has given particular attention to this class of prisoners, and as on former occasions, so during this year, he has, from time to time, furnished them with necessary articles of clothing, and with sufficient money to meet their immediate wants. In some instances he has provided them with temporary homes, or obtained for them self-supporting employment, or when required, railroad tickets have been procured to take them to their distant friends. Many of these were discharged females, who were taken to the Howard Home, or to the Rosine Asylum, where they will be cared for and instructed in useful occupations. Men, in many instances, have been provided with homes at the House of Industry in Catharine Street.

Out of the number of cases released during the year, eighteen were proper subjects for the Insane Asylum. Several of these had been previously inmates of that institution, and had eloped, or had been discharged, and were arrested and sent to prison for various offences. The Agent saw that they were discharged and taken to the Asylum.

The general approval of the press, and the continued approbation of the Judges of the Court, together with the support and encouragement given by the Inspectors, as well as the kind co-operation of the Society, not only encourage the Agent, but cause him to feel thankful that he is permitted to continue in this good work, which involves so much responsibility. This induces him to persevere in the path of duty with increased energy, with the hope that, under the Divine direction, his labors may be such as, not only to make

him more useful to unfortunate and oppressed prisoners, but also to meet the approval of Him whose blessing is upon all who are sincere in their efforts to benefit their fellow-men.

All of which is respectfully submitted.

WILLIAM J. MULLEN,
Prison Agent.

AGENT.

The following article from the pen of the Hon. JOSEPH R. CHANDLER, we give as we find it recorded in the Society's Journal for the year 1865. It alludes to the labors of the Agent, and is intended for the information of those who may feel interested in the Agency. As the writer is disinterested, and visits the prison twice every day, devoting all his time to the relief and welfare of the prisoners, in his connection with his official duties as an Inspector and a member of the Prison Society, he is in a position which enables him to know precisely what the Agent has done—particularly so, as he has made himself acquainted with the history of most of the cases which the Agent has had released, he having previously drawn the Agent's attention to many of them.

"Mr. WILLIAM J. MULLEN is still the Agent of the Society, and is constant and indefatigable in his labors to carry out the views of those by whom he is appointed; and it appears to be greatly promotive of the object of his work, that he is also the Agent of the Board of Inspectors of the County Prison; so that there is scarcely a beneficial act which he reports to the Society, and receives therefor its approbation, that is not, at the same time, quite within the humane and just views of the Inspectors. And it is gratifying to know that that body regard with entire approval the labors of Mr. MULLEN in behalf of some of the unfortunate persons that are committed to the County Prison.

Of course, a large proportion of those who are imprisoned for misdemeanors and felony, have committed the crime with which they are charged: they may indeed hope to defeat all efforts to prove their guilt, or they may seek to create such doubts as may work to their benefit; but many of them are really guilty, and deserve punishment. But guilty as they are, they have some rights as human beings, and they

have interests that may claim respect of some one. And even with these the Agent has some business. He is to be appealed to for assistance in various ways, such as justice permits and mercy demands. He may find something to do in arranging the outside business, and especially the family affairs of the criminal, so that, while the husband and father may be called to suffer, the innocent wife and the dependent children may have all possible aid from what he can secure to them. The business of the Agent is only to assist such a prisoner in the use of whatever right is left to him; it is not to interpose himself, or his employers, between justice and its legitimate victims.

Another class of prisoners are committed on suspicion; and no proof can be furnished of their guilt, save the somewhat vague *exparte* oath upon which the magistrate founds the commitment. It might be supposed that no agency would be required to save such a prisoner from a verdict of guilty and its consequent imprisonment, and little risk would be incurred, in leaving such a case, generally, to the discrimination of a jury, under the proper instruction of the court. But when is that judge to instruct the jury, and that jury to try the case? Such prisoners often remain in prison for several months. Not being able to procure bail, they must await the sitting of the court, and then just in proportion to their innocency is the likelihood that their case will not be acted on; and this from no neglect of duty on the part of the prosecuting officer. With the immense amount of business constantly pressing upon his office, he naturally takes the case which startles most by its criminality; or, when calling up those of minor character, he is likely to take those for which witnesses have been supplied. Hence the person suffers longest who is imprisoned for some small misdemeanor, that would scarcely have been noticed but for the malice of the prosecutor, who, knowing the weakness of his case, is willing to wreak his vengeance on the offender by letting him suffer, from want of testimony to prove his guilt. Into these cases the Agent at once inquires, and, satisfied of the innocence of the accused, or that the offence has been more than expiated by the imprisonment which he undergoes on the charges without a trial, he proceeds to arrange a settlement with the prosecutor, and, failing in that, he forces the case into court, (with the consent of the District Attorney,) and thus procures the release of the sufferer, and sometimes the punishment of him who, in the indulgence of a bad spirit, brought about that suffering. We do not mean that the Agent is the Nemesis of the criminal laws; but it is certain that the exposure of a great wrong often inflicts a greater injury upon the offender than he had purposed to the offended. It seems almost impossible to preserve the operation of the criminal law from oppressing those who by accident or error may be placed within its action. The stranger arrested on a trumped-up charge, is as liable to the prison as the most guilty. As a stranger, he is likely to be without friends to go his bail; and still more likely to be without means to pay for defence. His case is at once brought to the attention of the Agent. And, indeed, it may be said of the Agent, with regard to all these matters, that "the cause which he knows not he inquires out;" and some extracts which we shall give from his monthly reports will show the results of his labors.

It must not be inferred that in all the cases in which the Agent interferes, the

prisoner is, or is supposed to be, innocent. The question is not, in many cases, as it regards the fact, but as it regards the extent of depravity, and the effect of continued punishment, and the effect of the loss of time, and the influence of bad associations, not on the prisoner alone, but upon his family.

Sometimes the child is arrested for pilfering. Inquiries are instituted as to the frequency of the act, the character of temptation, and the chance of saving the offender, if legal punishment is withheld.

Sometimes the parent commits some act of violence, of which he is ashamed, and it is evident that imprisonment is only multiplying trouble at home. The Agent visits the prosecutor and modifies his feelings, and then procures from the magistrate a discharge for the offender, who perhaps never before saw the inside of a prison, and by the good feeling restored, is placed in a situation which seems secure from any likelihood of his again occupying a cell.

Family differences are often healed by the timely interposition of the Agent. Coarse habits, some of them on both sides, often lead to quarrels between the husband and wife, and the one that is strongest, and who does the most harm to the other, frequently completes the wrong by sending the sufferer, not always innocent, to prison. Hundreds of this kind of cases are acted upon every year; and when an Inspector of the prison can find time to acquaint himself with the circumstances of the inmates of the cell, he may do much good by exercising his authority to dismiss the prisoner, if in his power, or by calling the attention of the Agent to the matter.

There is one class of cases to which, in former reports, we have referred, and which are always worthy of the notice of those who visit prisons with a view and an ability to discriminate: it is that of Disorderly Houses. All, in cities, understand pretty well what this term implies, and all who understand the ways of the city know well that the charge might be made with great justice in hundred of instances which never reach the magistrate's docket. But in many of the cases that reach the prison record, it is found that the prisoner has not been disorderly, has not done any thing unusual, has not openly committed any wrong. But the poor creature had hired, for one dollar a week, a room of some tenant of the whole house, and, in the mutation of things abroad, a person can be found who will pay one dollar and a-half a week; and if the one-dollar tenant will not at once come to the new terms, nor quit the house, she can be forced to the one or the other by sending her down to prison on a charge of "disorderly house." Nothing, of course, is to be proved, in Court, against the prisoner, *when the day of trial* shall arrive. But what utter ruin for him or her to await that time! Such persons cannot find bail; and so the Agent sees the prosecutor, and the charge is withdrawn, on condition of leaving the house,—and thus fraud and falsehood gain the day. Of course, hundreds of these charges are well founded, that is to say, disorder exists; but even in such cases the motive for making the charge is little better than that which we noticed above, and the disorder only becomes intorerable when something can be gained by bringing an accusation.

One very important office of the Agent is to receive the prisoner when he has completed his time, to conduct him to some establishment where employment may

be obtained—or failing to find such a place, or the prisoner—preferring to go "home," the Agent procures for him a railroad pass, and supplies him with clothes and means for food till he reaches his destination. Much good in this way has been done for young women who, led into vice and crime by city habits, have desired to return to their parents. And in this connection it may not be improper to say, that the several Railroad Companies having termini in Philadelphia, have been most charitable in supplying free tickets, on the application of the Agent, for those who would have continued to do wrong, and to come to the prison, if they had not been helped away.

The whole statement of the Agent, of his success in dealing with important cases, will prove exceedingly interesting to the reader, as they are creditable to him. They will be found at some length in his Annual Report; but not more than five or six per cent. of all the releases which he procures are mentioned, as most of them are regarded as of less interest. But, in reality, the thousands of cases in which his interference restores the husband or the wife to the family, or saves a boy from becoming a confirmed thief, or a girl from being an abandoned woman, deeply concern society, and are thus important. Those who would know how much interest these trifling cases have, should see the earnestness of relatives to procure their settlement, and hear the thanks of the released for the successful efforts in their behalf.

Of the many thousand dollars saved to the city by the interference of the Agent in cases which he settles, we say nothing, as our business is with the humanitary side of the question, not with the pecuniary; though at the present moment even the latter is not unworthy consideration."

We also quote the following from the last Annual Report of the Prison Inspectors, written by Dr. BIDDLE, the President of the Board, who is fully acquainted with the labors of the Agent. As it gives the views of the Inspectors on this subject, we insert it.

"The services of the Agent, Mr. WILLIAM J. MULLEN, are eminently useful and acceptable, in the performance of the peculiar duties which devolve upon him. The Board entertain undiminished confidence in his integrity and zeal in the execution of the delicate and responsible functions of his office. The records in the Agent's Journal furnish abundant evidence that the present system of magistracy is an engine of fraud, extortion and oppression. The duties of this officer are chiefly devoted to the abatement and restraint of oppressive and illegal acts on the part of committing magistrates."

The following is a Selection of Cases, illustrating the commitments and their character;

NUMBER 1—Was the case of a German boy, who was arrested and committed to prison on the charge of larceny. After investigating the case, the Agent went to

the Alderman, and saw that the boy was immediately released. This was a very remarkable case. The prisoner was a boy about seventeen years of age, who came to this port in a German vessel, and did not understand much of our language. He was kidnapped from the vessel by a man who took him to Trenton, New Jersey, for the purpose of putting him in the army, in the hope of getting the bounty. The boy, however, refused to enlist, or to give his consent to this proceeding.

He was then brought back to Philadelphia and put into the hands of a shipping master, who had him shipped, and received fifty dollars ($50) of his advance pay, no portion of which was given to the boy, but twenty dollars were given to the man that kidnapped him and tried to dispose of him at Trenton. The boy refused to be shipped, and because he would not, a false charge of larceny was made against him, and he was sent to prison. This was done in the hope of frightening him, and in this way forcing him to ship or enlist.

The parties accused him of stealing a coat. The investigation of the Agent showed that they had loaned him the coat which they accused him of stealing. This charge was made a pretext, to enable them to imprison him until he should consent to be disposed of as they wished The Agent went to the committing magistrate, and to the prosecutors, and told them, in a manner not to be misunderstood, that if they did not immediately release the boy from prison, that he (the Agent) would bring the case before the Court, in such a way that would not only insure the prisoner's release, but would, in all probability, result in the imprisonment of those who had conspired against this unfortunate young stranger. When this had been said to the Alderman, he sent for the parties, who consented to the immediate release of the prisoner.

This case was truly distressing, as he was a stranger in this country, and without friends. It was a clear case of conspiracy on the part of bad men, who were willing to sacrifice this boy, to put money into their pockets. As it was, he was at once discharged and cared for.

Number 2—Was the case of a colored woman, who was accused of larceny, an offence of which she was not guilty, as was shown upon an investigation of the case by the Agent. The fact was, that the prisoner had benevolently taken the prosecutor, who was a white woman, into her house and given her shelter for the night. On the next morning, this woman took a portion of her clothing and pawned it, then went into a rum-shop, purchased rum and got drunk. She left the pawn-tickets in the rum-shop, with her own name upon them. This showed that she had herself disposed of the very clothing which she had accused the prisoner of stealing After the Agent had discovered this fact, he informed the magistrate, who promptly discharged the prisoner, instead of detaining her for trial at the next court.

Number 3—Was the case of a man who was charged with the larceny of two newspapers from the premises of one of our principal hotels. The prisoner said that he did not steal the papers; that a gentleman, who was a stranger, bought them, read them, and then threw them away, when (the prisoner) gathered them up. The Agent inquired into his character, and found it good. He had been employed as a book-keeper, in a mercantile house in this city, for eight years, and only left when his employers gave up business. The proprietor of the hotel, where the alleged

offence was committed, gave the Agent a written statement, to be presented to the District Attorney, asking for the immediate release of the prisoner, which was cheerfully given by the Court. The prisoner was respectably connected, and his prompt discharge was appreciated by himself and family.

NUMBER 4—Was the case of a colored woman who had been committed to prison on the charge of larceny. On an investigation by the Agent, it was ascertained that she had received two articles, from the prosecutor, to wash. While in her charge, some person, in her absence, had stolen them. The prosecutor was not satisfied with her account of the matter, and had her arrested and committed upon the above charge.

The property was afterwards found in a pawn-shop, where it had been pawned by the thief in her own name. The Agent informed the magistrate of these facts, and showed that the prisoner had been robbed of these articles by the party who pawned them. The prisoner expressed a willingness to pay for the articles, as soon as she was able to do so; but this availed her nothing, and she was committed to prison. When the true state of the case was made known to the magistrate and the prosecutor, the prisoner was honorably discharged.

NUMBER 5—Was the case of two colored men, who were strangers in our city; one had been committed for assault and battery, and the other upon the charge of swindling. An investigation showed both of these charges, not only to be false, but that the prosecutor himself was actually the guilty party, he having robbed one of the prisoners of his watch, and taken from them a bag containing clothing, which belonged to both of them.

All this was done for the purpose of distressing them, in the hope of compelling them to enlist for three hundred dollars ($300) each, which was the amount this unscrupulous man offered them, being less than half the sum the Government and the ward associations were giving at the time.

As they were British subjects, just arrived from Nassau, and as they did not wish to enter the army, they refused his offer, asking him, at the same time, to restore their property. He declined to do this, and because they complained of his bad conduct, he brought the false charges against them, and had them sent to prison.

The Agent immediately applied to the Court for a writ of *habeas corpus*. This was granted by Judge LUDLOW, and, on being brought before the Court, they were discharged. The Agent then accompanied them to the British Consul, who took charge of them, supplied them with comfortable lodgings, and promised, at the same time, to send them back to Nassau. He also said he would compel the prosecutor to give up the watch and clothing which he had taken from them.

NUMBER 6—Was the case of a man and his wife who had been imprisoned by his sister, upon the charge of larceny. The offence consisted in the wife having taken some clothing out of a trunk, and which she pawned for five dollars, to enable her to get bread for her starving children. The husband was out of employment at the time. It was mid-winter, and they were without fuel to keep themselves and their children warm. Their three little ones were really in a suffering condition at the

time when this woman took the things which her sister-in-law had left in her care for safe keeping.

She hoped that her husband would soon get employment, and earn some money to enable her to redeem the articles before her sister-in-law came for them; but her hopes, in this respect, were not realized. When the sister discovered that her clothing had been taken from the trunk, she was very angry, and, in the excitement, sued them, and had them committed to prison.

Thus they were separated from their children, who were left locked up at home, with no person to care for them. The Agent immediately called upon the prosecutor, and reasoned with her, when she consented to the release of the prisoners, and expressed her sorrow for having imprisoned them. She at once offered to pay all expenses, and they were discharged.

Number 7—Was the case of two colored women, who were very poor, and earned their living by washing. One of them had an infant with her, at the breast. She had received some clothing from a man, to wash. When she had finished the job, she expected the pay for what she had done, to enable her to get the necessaries of life for her family; but in this she was disappointed. The owner of the clothes informed her that he had not money enough to pay for the washing of all of them, but would pay for a part, and would leave the remainder until he came again. She told him this would not suit her, that she wanted the pay for the washing at once; but he did not pay her. Subsequently she requested the girl, who lived in the house with her, to take the things and pawn them for a sufficient sum to pay herself the balance for the washing.

The owner came for the remainder of his clothing, when she told him what she had done with them, and offered him the ticket, that he might redeem them. He declined to do this, sued the two women, and had them committed to prison, together with the infant. After this, the Agent saw that the things were redeemed and returned to the owner, when the prisoners were immediately released.

Number 8—Was the case of a woman who was improperly committed to prison upon a charge of the larceny of a cloak. The investigation showed that the cloak had been given her, by the owner, to pawn. The Agent saw the prosecutor, and obtained her consent to the release of the prisoner, and to pay the costs. The prisoner was confined of an infant during the short time she was a prisoner. She had, also, a little boy at home, who needed her care. The prosecutor took charge of him while his mother was imprisoned.

Number 9—Was the case of an old man and his son, imprisoned by his wife, upon the charge of assault and battery. She was the second wife, and there were two sets of children. She desired him to put his children out of the house, and to retain hers. He refused to this. He and his son were very industrious, and were good workmen. They were willing to work for the support of all; but this did not suit the wife: she wanted the house to the exclusion of his family. About this they quarrelled, and came to blows. The son protected the father, and she had them both committed to prison. The Agent succeeded in convincing her and the

magistrate that they were wrong in having them imprisoned. They then consented to their discharge, and the difficulty was adjusted by the Agent's interference.

NUMBER 10—Was the case of a soldier who was on furlough He had been over a year in the Libby Prison, and had suffered everything short of death. While passing through our city, on his way to New York, some person treated him, drugged his liquor, and robbed him of over one hundred dollars, and then had him committed to prison upon the charge of abuse.

The Agent saw that he was immediately released, and gave him some money to assist him on his way to New York.

NUMBER 11—Was the case of two women, mother and daughter, who were imprisoned upon the charge of the larceny of five dollars from a sister-in-law.

The money had been taken by the daughter, who believed she had a right to it. This money had been left by the brother, with his wife, to be used for the benefit of his sister, if she needed it, during his absence in the army. His sister, one of the prisoners, was a cripple, and had been sick for five months. Her mother had nursed her and cared for her in the absonce of the son. They were in want of the necessaries of life, and asked the sister-in-law for some money; but she was selfish, and would not give them any, The consequence was, that the sick sister went to the trunk, and took out five dollars, and expended it for the benefit of herself and her mother. For this they were both committed to prison. The agent went to the prosecutor, and convinced her that she and the magistrate had committed a great wrong in imprisoning, under the circumstances, the mother and sister of her husband, in his absence.

When she was made to understand, in a manner not to be mistaken, that her husband would, in all probability, hold her accountable for improper conduct toward his mother and sister, she consented to their immediate release.

NUMBER 12—Was the case of a mate of a vessel, who had borrowed seventeen dollars ($17), fourteen years ago, from a sea captain. The parties met in about ten months after the money had been borrowed, when the prisoner paid seven dollars on account. They met again in about a year from this period, when a second instalment of nine dollars was paid by the prisoner, which left but one dollar to be paid. They then separated, and, subsequently, in about twelve years, met again in this city, when a dispute arose between the parties about the balance owing. The captain contended that the balance due him was ten dollars, with interest, instead of one dollar, as the prisoner said. The result was, the prisoner was arrested and committed to prison for the debt. As the imprisonment was illegal, the Agent applied for a writ of *habeas corpus*, and had him discharged by the Court, in time for him to take his position in the vessel before she sailed from our port. This was accomplished by Judge ALLISON authorizing his discharge, he was released without costs.

NUEBER 13—Was the case of a young officer belonging to the Navy. He had indulged too freely in intoxicating liquors, and, while on his way home, at a late hour, sat down upon the foot-path and fell asleep. Subsequently he was aroused by a police officer, who, as the prisoner thought, handled him rather roughly, and he

therefore made some resistance, and tore the officer's clothing, for which he was sent to prison. The Agent saw that the officer was compensated for the damage done, and the prisoner was immediately released, and permitted to return to his position in the Government service.

Number 14—Was the case of a woman who had been treated with cruelty by her husband. He came home about four o'clock in the morning, knocked at the door, and asked to be admitted. His wife came down and let him in, but complained of his improper conduct, when he struck her on the face, knocked her down, and beat her so badly that she became insensible. He then dragged her, by the hair of the head, into the yard, at which time the neighbors interfered and prevented him from committing any further violeuce upou her. After he had done this, he went to an alderman's office, sued her, and had her committed to prison upon the charge of assault and battery,—an offence of which she was not guilty, but, on the contrary, her bruised and battered person bore unmistakable evidence of the terrible assault he had committed upon her, while he was in a state of beastly intoxication. Notwithstanding all this, which was self-evident, she was committed to prison upon the testimony of this drunken husband.

The case was immediately investigated by the Agent, who saw her neighbors, all of whom spoke well of her, and were willing to bear testimony to the inhuman treatment which she received from her husband. When the Agent made known these facts to the alderman, he at once gave an unconditional discharge, withou. costs, and she was permitted to return to her home and take charge of her children

Number 15—Was the case of a respectable Jewess, who is a widow, having two children, one a boy, in Girard College, and the other an interesting little girl. Her opposite neighbor had quarrelled with her, and had broken down her grape-vines and flowers. For this the prisoner had sued her, and had her bound over to appear at Court, upon the charge of *malicious mischief*. As soon as this was done, the party sued her, before the same magistrate, upon the charge of assault and threats, an offence of which she was not guilty. As she was poor, and unable to find bail, she was committed to prison. Her little daughter went to the College and informed her brother of their mother's imprisonmen. The Superintendent of the College gave him liberty to go and look after the case, provided he would return by ten o'clock in the evening. He came to your Agent, in the prison, accompanied by his little sister, and begged, in tears, for the release of their mother. The Agent took charge of the case, went to the prosecutor, and prevailed upon her to accompany him to the alderman's office, and give consent to the settlement of the case, with the understanding that the prisoner should withdraw the charge that she had brought against the prosecutor. This was agreed to, and both suits were settled to the satisfaction of all concerned. In this manner, through the Agent's interference the prisoner was released in a few hours after she had been committed.

The children were greatly rejoiced at the liberation of their mother, and the boy had the satisfaction of taking the discharge of his mother to the prison, about nine o'clock in the eveniug, in time to enable him to return to the College by ten o'clock, as he had promised.

Number 16—Was the case of a mother and her daughter,—the latter had an infant at her breast. They were wrongfully imprisoned, upon the testimony of a drunken woman It was a charge of assault and battery, which consisted in the prisoners having put the prosecutor out of the house, as she was making a noise, at a time when two females were lying sick of the typhoid fever. When the case was properly explained to the magistrate, by the Agent, the parties were at once released, and were permitted to return home and resume the charge of their sick friends.

Number 17—Was the case of a beautiful, and an innocent, girl of about seventeen years of age, who was the only child of a widowed mother. She had been raised with great care, but the mother had over persuaded her to marry an elderly man, whom she did not like. He was in good circumstances, and able to make her comfortable: but, as she did not like him, she left him, and again married a *young man*, who was more congenial to her feelings He was not a good man, but made himself agreeable to her, and took her to live at a disreputable house. When her mother and her first husband discovered where she was living, they took her away and placed her in the House of the Good Shepherd. Subsequently, the second husband induced the woman who kept the house of ill-repute to accuse the girl of having stolen an article of jewelry, of the value of thirty dollars; this charge was a fictitious one, made for the purpose of bringing her out of the benevolent institution by a process of law, with a view of entering bail for her, in order that the parties might again get possession of her.

When the Agent, upon inquiry, ascertained that she was not guilty of the larceny, he procured her release from prison and placed her in the hands of her mother, who took her back to the House of the Good Shepherd, where she will remain under the care of the Sisters of Charity, and will receive such instruction as will tend to make her wiser and better. She promised amendment in future, and the sincerity of her repentance was evinced by her frequently shedding tears.

Number 18—Was the case of a woman who had been committed for a debt of eighty cents. She was a respectable woman, a school teacher by profession. The Agent applied for a writ of habeas corpus, and had her immediately brought before the Court, when she was discharged by order of Judge Allison, who said, "This woman has been sent to prison for a debt amounting to eighty cents, and when brought up the prosecutor refuses to appear and testify, and this has happened in a christian country. *Let her be discharged*" While making these remarks the manner of the Judge showed how much he disapproved of this illegal act on the part of the magistrate.

Number 19—Was the case of a sailor who had been committed by mistake upon a charge of threats. He was not the man whom the magistrate intended to commit for the offence, the real offender had entered bail and was at liberty. By some mistake at the station house, the commitment got into the hands of an officer who served it upon this innocent man, and he was taken to prison, where he was detained about a month before the Agent was able to effect his release, notwithstanding his repeated efforts to convince the magistrate of his mistake.

Number 20—Was the case of a soldier who was accused of stealing several hundred dollars. A handkerchief was found in his pocket, which, on investigation, showed had been placed there by another person. This handkerchief belonged to the prosecutor, and had been placed in the pocket of the prisoner while he was asleep in a restaurant, where it was said the robbery was committed. The Agent succeeded in finding a witness who saw the transaction about the handkerchief, supplied the prisoner with counsel, and he was honorably acquitted by the Court, as he was not guilty.

Number 21—Was the case of three young men who belonged to a government steamship, and were on their way by railroad from New York to Baltimore. They were suspected of taking part in a fight which occurred in the cars, but upon investigation it appeared that they were in no way connected with the affair at the time, other than they were passengers in the cars. As they were strangers and had been improperly imprisoned, the Agent saw that they were promptly released and allowed to proceed on their journey through our city.

Number 22—Was the case of an interesting young girl about sixteen years of age, hailing from the State of Delaware. She was committed upon the charge of larceny of a few articles, the value of which was less than one dollar. The Agent obtained her discharge from the alderman and took her to the *Howard Home*, where she will remain for one year and receive such instruction as will tend to her future well-being.

Number 23—Was the case of a soldier who had been committed upon the charge of deserting his wife. He had been wounded at the battle of Cold Harbor, and was still in the service. He had been sent to the hospital at Chestnut Hill, as his wounds were not yet healed. While there he was arrested, taken from his sick bed and committed to prison upon the testimony of his wife, who charged him with deserting her. All this was accomplished upon the authority of the Guardians of the Poor, in whose name this sick soldier was imprisoned. He has received but a small portion of his pay in sixteen months. As he was suffering for want of surgical assistance, such as he had been receiving in the hospital, the Agent applied to the Solicitor of the Guardians and had the prisoner released, and saw that he was supplied with sufficient means to enable him to return to the hospital where he belonged. His imprisonment was not only unjust and cruel, but was a flagrant violation of law, inasmuch as he had not, in any case, deserted his wife.

Number 24—Was the case of a discharged soldier who was charged with wife desertion, a charge of which he was not guilty. On his return home from the army after three years service, he purchased a barrel of flour, three tons of coal, which were then in the cellar, and gave his wife three hundred and sixty-five dollars (365). He then procured a job of work at tailoring, and was at work on this at his own house when he was arrested and committed to prison, on the testimony of his wife upon the charge of *deserting his home*. He was scarcely in prison when the Agent had him released, by making a statement of the facts to the Solicitor of the Guardians, who at once consented to the discharge of the prisoner; and thus he was

liberated from this most absurd accusation, which it is difficult not to believe, was instituted by his wife for the purpose of getting him out of the way in order to make room for another.

NUMBER 25—Was that of two young men who were tried and convicted upon the charge of stealing twenty dollars ($20). The investigation showed that one of the parties was a discharged soldier, that he was insane, that he did not steal the money, and that he had nothing to do with taking it, but he was afterwards seen in company with the thief who gave him a portion of the money. When this explanation was given by the Agent to the Court, accompanied by a certificate from a physician which showed that he had been an inmate of an insane asylum, the sentence was reduced by the authority of the Court from eighteen months to four months imprisonment. This reduction of sentence rejoiced the heart of his widowed mother, who gratefully thanked the Agent for his interference which had resulted in lessening the suffering of her unfortunate son. He was a youth of about nineteen years of age, and was in prison for the first time.

NUMBER 26—Was that of a man who had been tried and convicted upon the charge of assault and battery, and sentenced to eleven months imprisonment. He had an interesting family, consisting of a wife and three children that were in a destitute condition, which was occasioned by his imprisonment. In view of this, and to save them from ruin in their helpless state, the Agent procured from the prosecutor a letter to the Court, asking for the immediate discharge of the prisoner. This was cheerfully granted by Judge Allison, who reconsidered the sentence of the prisoner, and he was released. There were mitigating circumstances which warranted this course, as it was afterwards shown that he got into the difficulty by endeavoring to prevent two men from beating and seriously injuring another man while he was down and unable to help himself, and thus while in a state of excitement he struck the party who prosecuted him. He was an industrious man, whose previous character was good; his release gave universal satisfaction, especially to his family who much needed his support.

NUMBER 27—Was the case of a poor woman who was tried and convicted, together with another woman, upon the charge of larceny; they were sentenced to one year each. Upon an investigation by the Agent, it appeared that they got into the present difficulty by one of the women taking out some shirts to make; she being destitute of the necessaries of life at the time, and the prisoner having a family of children in the same condition, she consented to take the shirts and pawn them, when requested to do so by the other party who had received the shirts to make up. She did this with the understanding that they were to be redeemed, made up and returned to the owner, but before they had succeeded in doing this they were arrested, tried and convicted. When the case was explained to the Court, Judge Thompson reduced the sentence of the one that pawned the shirts from one year to three months imprisonment.

NUMBER 28—Was the case of a young soldier who had lost his arm upon the battlefield. He was taken to the hospital, and after a protracted detention there, and

before he had fully recovered from this injury, he was taken to his home in a feeble and exhausted condition. Soon after this he became sick of the typhoid fever, and while he was not yet out of danger from this disease, and when he was sick and delirious, he got out of his bed and took some clothes belonging to his sister-in-law and pawned them. When she discovered what he had done she became very angry and quarreled with him, when he in his frenzied condition struck her. This provoked her, and in the excitement of the moment she went to a magistrate's office, sued him, and had him committed to prison upon the double charge of assault and battery and larceny. Subsequently he was tried, convicted and sentenced to three months imprisonment for the assault and battery, with an additional sentence of eighteen months for the larceny. When his respectable sister, who resides in Baltimore, heard of this, she came immediately to this city and informed the Agent of all the particulars. The physician that attended him was seen, as was also the prosecutor, who gave a letter to the Agent, in which she acknowledged her error in having prosecuted him, she regretted this the more as she was now satisfied that he was not fully in his right mind at the time when he committed the offence. When the Agent informed the Court of these facts, Judge Thompson reconsidered the sentence and released him from prison. He was then taken charge of by his sister, who took him to her home in Baltimore with the intention of caring for him in the future.

SCHEDULE

Of the offences of which the parties were accused, showing the number of cases discharged from the Philadelphia County Prison from January 1st, 1865, to January 1st, 1866, through the interference of W. J. MULLEN, *Prison Agent, their further detention not being deemed necessary, as it did not appear, upon investigation, that they were guilty, or if so, as was the case in some instances, the punishment they had already suffered was regarded as sufficient.*

OFFENCES.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	TOTAL.
Assault and Battery.....	10	15	15	25	35	30	43	63	58	40	29	37	400
Misdemeanor.....	11	10	36	18	18	25	33	40	55	49	25	45	365
Larceny	8	21	16	24	14	29	32	30	29	14	16	16	249
Malicious Mischief.....	3	5	2	7	8	1	6	5	8	3	11	8	67
Disorderly House.....	2	2	4	4	4	4	3	8	2	3	1	4	41
Wife Desertion.....	...	...	...	...	...	2	1	3	2	2	3	1	14
Abuse.....	1	4	...	5	...	5	15	12	4	3	5	1	55
False Pretences..... ...	...	2	...	...	...	...	...	2	1	...	...	1	6
Absonding Apprentice..	...	...	...	1	...	1	...	...	1	...	...	...	3
Concealed Weapons.....	1	1	...	1	...	...	1	2	3	2	3	...	14
Nuisance	2	...	2	...	...	1	3	2	...	...	...	...	10
Assault and Threats.....	1	5	7	5	4	5	16	7	11	4	5	6	76
Mutiny	...	...	5	...	...	...	...	...	...	...	...	...	5
Riot and Inciting to Riot	...	...	...	1	3	5	2	3	...	...	1	...	15
Suspicion of Larceny....	...	...	...	...	...	2	1	1	...	...	...	2	6
Perjury	1	2	1	...	...	...	...	...	1	2	...	1	8
Indecent Exposure.....	...	...	...	...	...	4	1	2	3	...	...	...	10
Illegal Voting.....	...	...	...	...	...	...	...	...	...	...	3	1	4
Adultery.....	2	...	...	1	1	3	...	4	2	...	...	...	13
Infanticide	1	...	...	...	...	...	...	...	...	...	...	...	1
Passing Coun'ft Money,	1	...	...	...	...	...	...	...	1	...	...	...	2
Total, ...	42	71	88	98	95	118	167	188	185	200	108	130	1410

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1866.

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☞ WILLIAM J. MULLEN is Agent of the County Prison, appointed by the Inspectors, and acting under their direction, and also appointed by the Prison Society.